

FILED
 CIRCUIT CLERK JOYCE R LOFTIN
 BY CLERK KIM L LOYD
 2/2/2006 - 11:13 AM
 CASE NB CV2006-000093

FILED

MAR - 3 2006

ARLEN COYLE, CLERK
 Deputy

IN THE COUNTY COURT OF LEE COUNTY, MISSISSIPPI

PETRA FEARS

PLAINTIFF

VERSUS

CIVIL ACTION NO: CV 2006-0000931:06CV48-MD

LEGGETT & PLATT, INCORPORATED,
 d/b/a TUPELO FIBER, GARY PACE,
 BILL BRANIGAN and RICHARD PATE

DEFENDANTS

JURY TRIAL DEMANDED

COMPLAINT

This is an action to recover actual and punitive damages for slander. The following facts support the action:

Plaintiff, PETRA FEARS, is an adult resident citizen of Post Office Box 231, Verona, Mississippi 38879.

2.

Defendant, LEGGETT & PLATT, INCORPORATED, d/b/a TUPELO FIBER, is a Missouri corporation doing business in the state of Mississippi. It may be served with process upon its registered agent, CT Corporation System, 645 Lakeland East Drive, Suite 101, Flowood, Mississippi 39232.

Defendant, GARY PACE, is an adult resident citizen of 649 CR 1389, Saltillo,



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Mississippi 38866, and is employed by Defendant Tupelo Fiber. He may be served at Tupelo Fiber, 2119 Dalton Drive, Tupelo, Mississippi 38801 or at his residence address.

Defendant, BILL BRANIGAN, is an adult resident citizen of 2626 Hampton Avenue, Tupelo, Mississippi 38801 and is employed by Defendant Tupelo Fiber. He may be served at Tupelo Fiber, 2119 Dalton Drive, Tupelo, Mississippi 38801 or at his residence address.

Defendant, RICHARD PATE, is an adult resident citizen of 134 Emerson Drive, Saltillo, Mississippi 38801 and is employed by Defendant Tupelo Fiber. He may be served at Tupelo Fiber, 2119 Dalton Drive, Tupelo, Mississippi 38801 or at his residence address.

Plaintiff Fears has been employed by Tupelo Fibers for almost eleven years. Currently, she works as a line operator.

Clyde Rogers has been employed by Tupelo Fibers for eighteen years. Currently, he is the supervisor of the day shift pad-line.

5.

On April 27, 2005, Gary Pace, a shipping manager on day shift at Tupelo Fibers, was talking to Jermaine Jones and Kevin Nabors about people being involved in illicit sexual encounters. Jermaine and Kevin joked about having seen Clyde Rogers and Plaintiff Fears in what could have been sexual activity in a warehouse bin.

6.

Gary Pace and the Tupelo Fiber Plant Manager, Bill Branigan, are friends of Ed Buggs, a night shift supervisor, who had been trying to cause the firing of Clyde Rogers for several years. Gary Pace told Bill Branigan that Jermaine Jones and Kevin Nabors had seen Clyde Rogers having sex with Plaintiff Fears in the warehouse.

7.

The next day Jermaine and Kevin told Branigan and Richard Pate, the Tupelo Fiber Human Resource Manager, that they did not see Plaintiff Fears and Clyde Rogers having sex.

8.

During a subsequent investigation, Clyde Rogers told Richard Pate that he and Plaintiff Fears had never had sex and that the accusation that they had been seen having sex in the warehouse was being made against him because Gary Pace and Bill Branigan were trying to get him fired so Ed Buggs could have his job on the day shift.

9.

Clyde Rogers was suspended with pay for three days and ordered to have no further contact with Plaintiff Fears. Plaintiff Fears was not questioned about the accusation and no disciplinary action was taken against her.

10.

Everyone in the plant had soon heard that Clyde Rogers had been suspended for three days for having sex with Plaintiff Fears. Fellow employees informed Plaintiff Fears that they had

been told that she had been fired for having sex in the warehouse. Plaintiff Fears' neighbors heard people talking about the false accusation at Wal-Mart.

11.

The Defendants either knowingly allowed false statements concerning Plaintiff Fears having sex with Clyde Rogers to be spread throughout the plant or acted with reckless disregard as to the truth or falsity of the information they allowed to be spread throughout the plant. By taking disciplinary action against Clyde Rogers, the Defendants gave credence to the rumors.

12.

Plaintiff Fears suffered great mental anxiety and stress upon learning that her co-workers and her family, friends and neighbors throughout the community had been told that she was seen having sex with Clyde Rogers at work.

13.

Defendants are liable to Plaintiff Fears for slander because the false statements which circulated among plant workers damaged her good name and reputation.

PRAYER

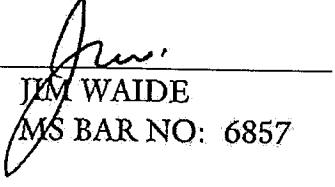
Plaintiff Petra Fears prays for actual and punitive damages in the amount to be determined by a jury, but less than the \$200,000.00 jurisdictional limit of this Court.

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Respectfully submitted,

WAIDE & ASSOCIATES, P.A.

BY:


JIM WAIDE

MS BAR NO: 6857

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